

Message Text

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SUBJ: EXTRADITION - CONSTANTINOS ANASTASIOU SYNGRASSIDES

1. AUSA JOHN GORDAN IN NEW YORK HAD COURT APPEALS
DECISION TRANSLATED AND HAS MADE FOLLOWING COMMENTS TO
DEPARTMENT:

A) THE NORWEGIAN MAGISTRATE CLAIMED THAT THERE WAS
NO EVIDENCE IN THE DOCUMENTS THAT ANY U. S. OR NORWEGIAN
CITIZENS WERE DEFRAUDED. HE IS WRONG - GRAND JURY EXHIBIT
25 CLEARLY SHOWS U. S. AND NORWEGIAN CITIZENS WERE
DEFRAUDED AND GRAND JURY EXHIBIT 24 CLEARLY SHOWS TWO
NORWEGIAN SHIPS WERE INDUCED TO BECOME INVOLVED IN
SYNGRASSIDES' SCHEME.

B) THE COURT STATED THAT JUPITER SHIPPING MAY HAVE
ACTUALLY BEEN BACKED BY A U. S. OIL COMPANY. ACCORDING
TO GORDAN, THE ONLY EVIDENCE ON WHICH THE COURT CAN BASE
SUCH A STATEMENT IS SYNGRASSIDES' OWN SELF- SERVING STATE-
MENTS. THERE IS ABSOLUTELY NO EVIDENCE OF THIS IN OUR
DOCUMENTS.

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C) THE LOWER COURT ASSERTED THAT JUPITER WAS INDE-

PENDENTLY CAPITALIZED. GORDAN SAYS THERE IS ABSOLUTELY NO EVIDENCE OF THIS - THE ONLY PROFITS THAT JUPITER MADE WERE WHAT SYNGRASSIDES MADE WHEN HIS SCHEME WAS WORKING WELL.

D) THE COURT ALSO SAID THAT THE TELEXES WERE NEUTRAL ON THEIR FACE. WITH THIS GORDAN AGREES, BUT HE POINTS OUT THAT THESE TELEXES WERE THE MEANS WHEREBY SYNGRASSIDES WAS ABLE TO CHARTER VESSELS AND WITHOUT THE USE OF THE TELEXES THE SCHEME WOULD NEVER HAVE OCCURRED.

2. GORDON SAYS TRANSLATION ALSO SAYS CRIME COVERED BY THE TREATY BUT THE U. S. FAILED TO SATISFY THE QUANTUM OF THE EVIDENCE NEEDED. DEPARTMENT'S INTERPRETATION OF ARTICLE I IS THAT ALL WE NEED FURNISH IS EVIDENCE TO SHOW THAT WE HAVE PROBABLE CAUSE TO BELIEVE SYNGRASSIDES COMMITTED A CRIME. THE PURPOSE OF A COURT IN AN EXTRADITION HEARING IS ONLY TO DETERMINE WHETHER THE FUGITIVE IS TO BE GIVEN UP TO FACE HIS ACCUSERS. IT IS NOT TO DECIDE THE GUILT OR INNOCENCE OF THE FUGITIVE. APPARENTLY THE EXTRADITION MAGISTRATE TOOK EVIDENCE FROM SYNGRASSIDES INTENDED TO REBUT OUR EVIDENCE AND THUS WAS TRYING TO CONDUCT A TRIAL OF THE CASE IN THE NORWEGIAN COURT. THIS IS A MISINTERPRETATION OF THE PURPOSE OF AN EXTRADITION HEARING. IT SHOULD BE POINTED OUT TO PROPER AUTHORITIES THAT THE ONLY PROPER PLACE FOR SYNGRASSIDES TO RAISE HIS DEFENSES IS AT TRIAL IN THE UNITED STATES AND THAT EVERY AVAILABLE DEFENSE WILL OF COURSE BE AVAILABLE TO HIM HERE. AS DEPARTMENT VIEWS TREATY AND PURPOSE OF EXTRADITION HEARING, IT WAS INAPPROPRIATE FOR MAGISTRATE TO HAVE GIVEN ANY CREDENCE AT ALL TO SYNGRASSIDES SELF-SERVING UNCORROBORATED STATEMENTS. HIS STATEMENTS SHOULD PROPERLY HAVE BEEN ASSERTED ONLY AT A TRIAL.

3. DEPARTMENT HOPES THE ABOVE COMMENTS WILL BE USEFUL AND CAN BE INCORPORATED IN NOTE TO MFA WITH REQUEST THEY BE MADE AVAILABLE TO APPROPRIATE JUDICIAL AUTHORITIES.

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